

No haste to clean up waste

City seen lagging in efforts to ease woes

By Deborah Nelson

Three state-owned rowboats sit mired and rusting in the toxic muck of the Paxton Avenue Lagoons.

Two years ago a state environmental inspection team had used the boats in the lagoon at 122nd and Paxton to get a first-hand look at the polluted site.

But the boats got stuck in the slime and were abandoned. Later a worker was dispatched to scuttle them. Officials worried that someone get hurt trying to free the boats from the contaminated mire.

The boats and poisonous waste in which they are stuck have not been dealt with since.

And government agencies charged with cleaning up the mess are stuck in a bureaucratic muck that has allowed toxic waste problems on the Far South Side to continue unabated for years—except for occasional stopgap measures.

A three-month Chicago Sun-Times investigation found that jurisdictional game-playing and Catch-22 regulations have resulted in federal and state inaction that is harming people, wildlife and the environment.

In addition, the Washington administration has failed to support community pleas to state and federal agencies to rid the area of its pollution threats.

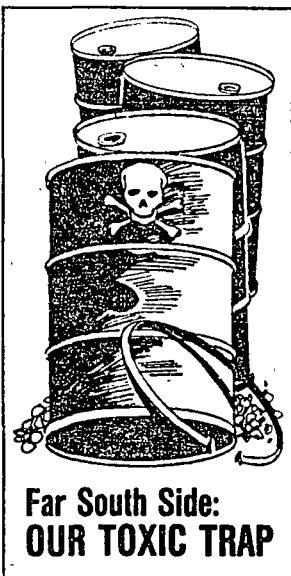
The Paxton Lagoons site is just one of 10 hazardous waste or industrial sites on the Far South Side that are known to be contaminating the water and air. Only one site has qualified for a comprehensive cleanup under state or federal Superfund programs.

Immediate dangers

Two of the sites are immediate dangers. Four others had fires, explosions, vandalism and human injuries that forced incomplete, stopgap cleanup by the agencies.

As many as 30 older industrial waste sites have not been assessed by the agencies to determine the threat they pose.

Timely responses to the toxic danger get scuttled by disputes among local, state and federal agencies about who is responsible for the waste sites, the investigation has found.



Far South Side:
OUR TOXIC TRAP

Fifth in a 6-part series

The U.S. Environmental Protection Agency's regional office and the Illinois Environmental Protection Agency both have "immediate removal" programs to clean up hazardous waste sites that are imminent dangers.

Immediate removals involve measures to stabilize the site until a full cleanup can be performed—for example, removing barrels of flammable toxic chemicals to prevent explosion.

Unfortunately, the programs do not clearly determine which agency is responsible for responding to imminent danger at any given waste site.

The Paxton Lagoons site is labeled an "imminent danger" by both the U.S. EPA and the Illinois EPA.

The unsecured dump, traversed by hunters unaware of the danger, is blemished with large pools of waste that are a poisonous grave for unsuspecting wildlife. A pollution-measuring instrument dipped into the lagoon was destroyed by the caustic liquid.

The serious human and environmental threat was recognized as early as 1982. The danger remains today while the two agencies, which have spent the last five years studying and restudying the site, continue to haggle over responsibility for the emergency cleanup.

"That's a terrible site. We're trying to get the U.S. EPA interested in it," said Illinois EPA Superfund Chief James Frank.

"The shift of responsibility [for toxic waste sites] should be on the



Twisted metal rowboats sit mired under piles of trash of the Paxton Avenue Lagoons at 122nd Street. Concern has been expressed that someone may be hurt freeing them from the toxic slime.



Valdas Adamkus
'State's responsibility'



Richard Carlson
'Money for immediate needs'



Lee Bolts
'City not using its power'

state government," said U.S. EPA Regional Administrator Valdas Adamkus.

A similar debate drones on about the former International Harvester property, 1015 W. 120th, a popular school shortcut for area children. Asbestos dust infests the site, while the Illinois EPA, the U.S. EPA and the city discuss who should take on the costly cleanup job.

The property is adjacent to the Dutch Boy Paints factory. Six people got lead poisoning on that property last year, even though state and city officials knew about the problem for at least two years.

"The feds are not convinced it [International Harvester] is an

emergency," said City Demolition Prosecutor Mark Limanni. "The state won't touch it. They say they don't do asbestos."

No warning sign has been posted on the unsecured property by any city, state or federal agency, so area residents "would not be alarmed," he said.

In another case, debate centered on toxic waste left at the closed Wisconsin Steel plant. An Illinois EPA official told the Sun-Times the problem was going to be a "big headache" for the federal government.

A U.S. EPA official said Illinois was "going to have its hands full."

"This bureaucratic tennis match is

caused, in part, by the fact that the government agency making the first move usually foots the costly cleanup bill.

Illinois EPA Director Richard Carlson said, "We have the money" to meet immediate removal projects and emergencies.

But an Illinois EPA official, who did not want his name used, said the agency is reluctant to act on the International Harvester site after spending \$2.7 million on the neighboring Dutch Boy cleanup.

"They [the Illinois EPA] have been telling us they can only handle a couple sites a year," Limanni said.

"They've been letting us sit, and

Pollution suits often caught in legal muck

The Illinois attorney general's office sued landfill operator Steve Martell in 1980 to make him clean up four of the worst toxic dumps on the Far South Side.

Seven years later, the case still is a long way from going to trial.

Going after suspected polluters in that area is not easy, agency lawyers say.

So many waste sites dot the area that it is hard to prove who is responsible for what pollution, said H. Alfred Ryan, assistant attorney general in charge of the environmental division.

Martell has used that argument in the marathon suit against him.

Some companies file for bankruptcy to evade liability, Ryan said. Others simply close when a pollution problem develops and transfer the property to nonprofit organizations.

The inability to get private, responsible parties to pay for cleanup on the Far South Side is one more obstacle to ridding the area of waste sites that are polluting the air, land and water.

The lack of private payment for cleanup means the community must wait for state or federal money to become available. Government help, so far, has been difficult to obtain.

Ryan recalled unsuccessful negotiations over cleanup of a former industrial disposal site at 115th and Torrence that the former Interlake Steel had sold to Waste Management. The property was a valuable wetland that the state wanted to reclaim, he said.

"We had a complaint that said disposal of industrial waste appeared to be contributing to degradation of the water quality," he said. "The companies said that if they cleaned up the property, it would become contaminated again from adjacent areas."

Surrounding the property were four other toxic waste sites, he said.

"This is generally the reaction we get from

people in the area," he said.

Adding to the mess is the fact that some of the dumps sit on top of old dumps. The area has been a dumping ground for Chicago area industrial and municipal waste for a century.

None of the sites has received Superfund status from the federal government, Ryan said. Superfund status allows the government to hold any one polluter liable for the pollution caused by all the polluters.

If the responsible parties do not conduct the cleanup, they can be fined three times the cost of a government cleanup. Those threats tend to encourage cooperation, Ryan said.

—Deborah Nelson



Illinois Senate panel asks toxic waste probe

By John Krukowski
Springfield Bureau
Chicago Sun-Times

SPRINGFIELD—An Illinois Senate committee called for an investigation of toxic waste problems on Chicago's Far South Side after Democrats beat back a Republican attempt to amend the proposal.

Sponsors said the call for the investigation was spurred by a three-month study by the Chicago Sun-Times, which revealed that government agencies failed to act on hazardous waste problems that have threatened public health for years.

A resolution setting up a special task force for the inquiry cleared the Senate Executive Committee on a party-line 11-8 vote Wednesday.

Republican members voted against the measure after Democrats rejected an amendment to make the city of Chicago disclose inspection, zoning and other records dealing with the waste sites.

Democrats were "just pointing the finger at the Illinois Environmental Protection Agency,"

charged Sen. Stanley B. Weaver (R-Urbana), who offered the amendment.

"Chicago people ought to cooperate with any records they have," he said.

The Democratic majority also altered the task force makeup to give Democratic legislative leaders a 10-8 edge in appointments.

The initial plan called for a 20-person panel, with each of the four party leaders in the Legislature naming two lawmakers and three public members.

Among other findings, the study uncovered a higher than average incidence of cancer among the 150,000 city residents in an area bounded by 95th Street, Interstate 57 and Lake Michigan. There are some 100 abandoned industrial plants and about 50 active or closed waste disposal facilities in the area, according to legislative estimates.

Under the proposal, now before the full Senate, the task force would be directed to review all existing studies regarding pollution in the Lake Calumet area and to recommend ways to deal with the problem.

choke. And that's not acceptable."

Adamkus said the federal government's budget is strapped as well. The Great Lakes region must address environmental problems in six states, he said.

"We don't have enough people to respond to it. We don't have enough money to respond to it," Adamkus said. "We are responding because no one else wants to take action. They don't even clean up what they can easily do themselves. The present situation is unacceptable."

Illinois 'strong enough'

The states must be willing to spend more of their own money for local hazardous waste problems, he said. "Illinois is strong enough."

state EPA's proposed \$22 million cleanup budget was slashed this year to \$12 million.

Standoffs between the agencies often continue until an emergency or public pressure forces someone to take action. The U.S. EPA reacted after barrels exploded in 1983 at the former Alburn Inc. waste dump, 2200 E. 119th, and after an underground fire erupted in 1985

at the former U.S. Scrap waste site, 12300 S. Cottage Grove.

The Illinois EPA has reacted to imminent dangers once on the Far South Side before catastrophe. U.S. Drum Disposal Corp., 2400 E. 119th, was a kickoff site for Gov. Thompson's Clean Illinois project in 1984.

The U.S. EPA's Chicago office and the Illinois EPA have reputations for doing a thorough job once they undertake an immediate removal project. But immediate removals handle only the imminent threat, such as fire or explosion. They do not remove the long-term danger from toxic waste buried below ground.

Only state or federal Superfund programs cover complete cleanups. But program restrictions, identical for both agencies, contain Catch-22 language that works against polluted urban areas such as the Far South Side.

Government methods of selecting Superfund cleanup sites came under fire in 1985 when toxics buried at the former U.S. Scrap facility burst into flames.

Nearby residents were shocked to discover that not even a fire could

convince authorities that U.S. Scrap was a serious enough hazard to warrant a spot on either the state or federal Superfund lists.

Without a federal Superfund classification, the U.S. EPA could only extinguish the flames, secure the fence around the contaminated property and leave, hoping the buried toxics don't reignite.

"We are greatly concerned with public reaction... if we are unable to take action on what is clearly a hazardous site," Robert Bowden, chief of the U.S. EPA emergency response section, wrote in a memo after the fire.

Dangerous toxic waste sites on the Far South Side do not qualify for Superfund cleanup because of bureaucratic reasoning that, in effect, says: Areas hardest hit by pollution cannot qualify for hazardous waste cleanup money because they are too polluted.

How a site qualifies for federal or state Superfund money is determined by a point system that considers a number of factors, such as the site's proximity to residential areas, quantity of waste, air emissions and groundwater pollution. The more points awarded, the bet-

ter the chance of getting funds. Here's how the system works:

A hazardous site is checked to determine if it is contaminating the groundwater. On the Far South Side so many individual sites are polluted that the groundwater could have been tainted by any or all of them. If the contamination cannot be pinpointed then the site scores few points.

The same logic applies to air pollution. If a site is polluting clean air, it gets a high score. If the site is polluting dirty air, which is in abundance on the Far South Side, it gets few points.

In the case of U.S. Scrap, federal EPA specialist Stephen Caldwell wrote, "Our requirements for documenting air [pollution] may be extremely difficult or impossible to meet at sites which are bordered by other possible sources of emissions."

No points for water

If the site is contaminating drinking water, it gets priority ranking for cleanup money. But since Chicago gets its drinking water from Lake Michigan rather than wells, city waste sites are all but precluded from qualifying.

U.S. Scrap is a site with "serious problems that we may not be able to address under present procedures," another EPA memorandum said.

Dan Caplice, a remedial project manager for the U.S. EPA, said a contractor next week will begin more extensive testing of water and ground pollution at U.S. Scrap to gather more hard evidence of harm. The effort is aimed at obtaining Superfund standing for the site.

That goal may be aided by recent legislation that requires the U.S. EPA to re-evaluate its ranking system for Superfund sites.

"We are hearing the EPA may give greater weight to recreational water and biological impacts such as the impact on fish, geese, ducks, deer," said Frank of the Illinois EPA. "Also a little stronger emphasis on air. Those have been three areas we felt needed more attention."

The state is not required to abide by the federal scoring system. But Illinois has chosen to, even though it works against areas like the Far

South Side, said Lee Botts, an environmental consultant who recently completed a report critical of government response to pollution problems. Botts said the city is failing to use its political power to get fairer treatment by state and federal agencies.

"The city did not participate in recent congressional debate on amendments to the Superfund law, even though the classification system... is biased against needs in Chicago," she wrote.

"The city has little participation in the development of state and federal environment policy now," she said. "Half the state's population is in the Chicago area and almost a third in the city itself, but the city has an even larger share of the problems related to hazardous materials."

The lack of city influence was evident from the response of state EPA Director Carlson to a question about his relations with the city.

"No one from the city has ever raised a complaint to me as a director. As far as I know, everything is copacetic," he said. "Who's in charge of environmental affairs in the city anyway?"

FRIDAY: Dealing with the problems.

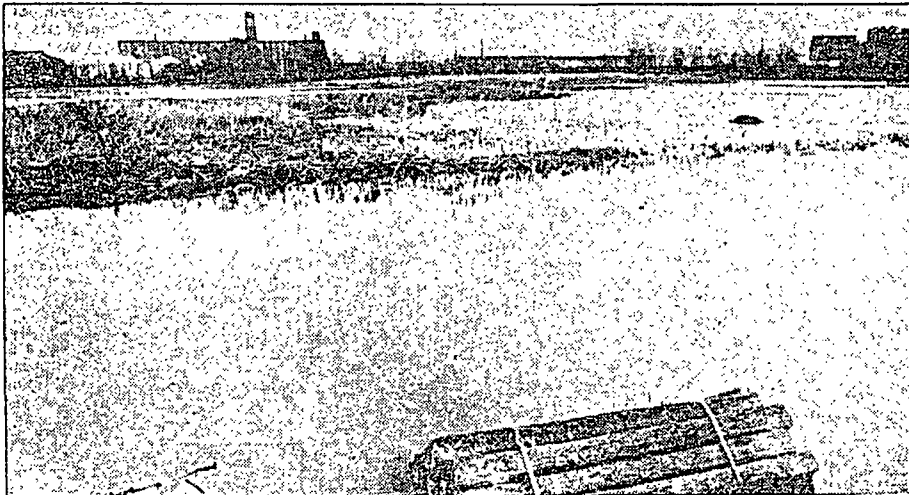
Toxic sites

Waste sites with known pollution problems

Paxton
Paxton Lagoons
Interlake Steel
Land & Lakes
U.S. Scrap
U.S. Drum
Inland Metals Refining
Alburn Inc.
Dutch Boy Paints
International Harvester

Partial cleanups due to emergencies

U.S. Scrap
Alburn
Dutch Boy
Liquid Dynamics



The state wants to reclaim wetlands used for waste sites, such as this former dumping site of Interlake Steel, whose plant is pictured in the background.

SUN-TIMES/Al Podgorski